

ITEM 15 PLUMBING, ELECTRICAL, MECHANICAL & ENERGY
HCD 02/04
Part 4, Chapters 1 through 12, 15, 16 & 17, Appendix A & D
Various Sections

EXPRESS TERMS

ITEM 15-1

MATRIX ADOPTION TABLE FOOTNOTE:

The ♦ designation indicates that the State Fire Marshal's adoption of a chapter or individual sections is applicable to structures subject to HCD 1 (See Section 108.1.1.8) and HCD 2 (See Section 108.1.1.9).

Department of Housing and Community Development
Proposed Final UMC 2003 Adoption Matrix / Chapter 1- Administration

Adopt only those sections listed below

2000 Amendment Number	2003 Amendment Number	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt only those sections listed below		X		X	
101.2	101.2 CA	X		X	
102.0	102.0 CA	X		X	
103.1	103.1 CA	X		X	
103.1.1.2	103.1.1.2 CA	X		X	
103.1.2	103.1.2 CA	X		X	
103.1.3	103.1.3 CA	X		X	
103.1.4	103.1.4 CA	X		X	
103.1.5	103.1.5 CA	X		X	
103.1.5.1	103.1.5.1 CA	X		X	
103.1.5.2	103.1.5.2 CA	X		X	
103.1.6	103.1.6 CA	X		X	
103.1.7	103.1.7 CA	X		X	
103.1.8	103.1.8 CA	X		X	
103.1.8.1	103.1.8.1 CA	X		X	
104.5.1	104.5.1 CA	X			
105.2	105.2 CA	X		X	
105.5	105.5 CA	X		X	
105.5.1	105.5.1 CA	X			
105.5.2	105.5.2 CA	X			
105.5.3	105.5.3 CA			X	
106.2	106.2 CA	X			

2000 Amendment Number	2003 Amendment Number	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt only those sections listed below		X		X	
106.3	106.3 CA	X			
106.4	106.4 CA	X		X	
108.1.1	108.1.1 CA	X		X	
108.1.1.8	108.1.1.8 CA	X			
108.1.1.8.1	108.1.1.8.1 CA		X		
108.1.1.9	108.1.1.9 CA			X	
108.3.1	108.3.1 CA	X		X	
108.3.1.1	108.3.1.1 CA	X			
108.3.1.2	108.3.1.2 CA			X	
108.3.1.3	108.3.1.3 CA	X			
108.6.1	108.6.1 CA	X			
	108.6.2 CA			X	
108.10	108.10 CA	X		X	
108.10.1	108.10.1 CA	X			
108.10.3	108.10.2 CA	X			
108.10.4	108.10.3 CA	X			
108.10.2	108.10.4 CA			X	
114.2.1.1	114.2.1.1 CA	X			
114.6	114.6 CA	X			

2000 Amendment Number	2003 Amendment Number	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt only those sections listed below		X		X	
115.1.1	115.1.1 CA	X			

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix / Chapter 2 - Definitions
Adopt entire Chapter 2 with amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
201.0	201.0	X		X	
202.0	202.0	X		X	
203.0	203.0	X		X	
Administrative Authority CA					Removed from Chapter 2
Approved	Approved UMC	†		†	
Approved CA	Approved CA	X		X	
	Assembly Building UMC	†		†	
Assembly Building - Exception CA	Assembly Building CA	X		X	
	Authority Having Jurisdiction UMC	†		†	
	Authority Having Jurisdiction CA	X		X	
204.0	204.0	X		X	
Building CA	Building CA	X		X	
	Building Code UMC	†		†	
Building Code Exception CA	Building Code CA	X		X	
	Building Official UMC	†		†	
Building Official Exception CA	Building Official CA	X		X	
205.0	205.0	X		X	
206.0	206.0	X		X	

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
Department CA	Department CA	X		X	
	Dwelling UMC	†		†	
Dwelling Exception CA	Dwelling CA	X		X	
	Dwelling Unit UMC	†		†	
Dwelling Unit Exception CA	Dwelling Unit CA	X		X	
207.0	207.0	X		X	
	Electrical Code UMC	†		†	
Electrical Code Exception CA	Electrical Code CA	X		X	
Enforcing Agency CA	Enforcing Agency CA	X		X	
Enforcement Agency --- CA	Enforcement Agency --- CA	X		X	
208.0	208.0	X		X	
Fire Code UMC	Fire Code UMC	†		†	
209	209.0	X		X	
210	210.0	X		X	
211	211.0	X		X	
212	212.0	X		X	
213	213.0	X		X	
214.0 CA	214.0	X		X	
	Labeled UMC	†		†	
Labeled CA	Labeled CA	X		X	
Listed CA	Listed CA	X		X	
Listing Agency CA	Listing Agency CA	X		X	
215.0	215.0	X		X	
216.0	216.0	X		X	
Nuisance CA	Nuisance CA	X		X	
217.0	217.0	X		X	
Occupancy Classification - Note CA	Occupancy Classification Note CA	X		X	
218.0	218.0	X		X	

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
	Plumbing Code - UMC	†		†	
Plumbing Code - Exception CA	Plumbing Code - CA	X		X	
219.0	219.0	X		X	
220.0	220.0	X		X	
221.0	221.0	X		X	
222.0	222.0	X		X	
Testing Agency CA	Testing Agency CA	X		X	
223.0	223.0	X		X	
UMC CA	UMC CA	X		X	
UMC Standards CA	UMC Standards CA	X		X	
224.0	224.0	X		X	
225.0	225.0	X		X	
226.0	226.0	X		X	
227.0	227.0	X		X	
228.0	228.0	X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix / Chapter 3 - General Requirements
Adopt entire Chapter 3 as amended

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
	304.7	X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix / Chapter 4 – Ventilation Air Supply
Adopt entire Chapter 4 without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
 UMC 2003 Adoption Matrix Chapter 5- Exhaust Systems

Adopt entire Chapter 5 without amendments

2000 CA Amendments	2003CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
 Division of Codes and Standards
 UMC 2003 Adoption Matrix / Chapter 6-Duct Systems

Adopt entire Chapter 6 as amended

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
	601.2 CA	X		X	

Department of Housing and Community Development
 Division of Codes and Standards
 UMC 2003 Adoption Matrix / Chapter 7-Combustion Air

Adopt entire Chapter 7 without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
 Division of Codes and Standards
 UMC 2003 Adoption Matrix Chapter 8-Chimney and Vents

Adopt entire Chapter 8 without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 9- Installation of Specific Equipment
Adopt entire Chapter 9 as amended

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
	904.1.1 (New) CA	X		X	
	904.1.2 (New) CA	X		X	
	904.1.2.1 (New) CA	X		X	
	904.1.2. 2(New) CA	X		X	
	904.1.2. 3 (New) CA	X		X	
	904.1.2. 4 (New) CA	X		X	
	904.1.2. 5 (New) CA	X		X	
	904.1.2. 6 (New) CA	X		X	
	904.10 (New) CA	X		X	
	904.10.1.2 (New) CA	X		X	
	904.10.1.4 (New) CA	X		X	
	904.10.1.5 (New) CA	X		X	
	904.10.1.6 (New) CA	X		X	
	904.10.3 (New) CA	X		X	
	904.10.3.5 (New) CA	X		X	
	904.10.3.6 (New) CA	X		X	
	904.10.3.7 (New) CA	X		X	
	904.10.3.7.1 (New) CA	X		X	
	904.10.3.7.2 (New) CA	X		X	
	904.10.3.7.3 (New) CA	X		X	
	904.10.3.7.4 (New) CA	X		X	
	904.10.3.7.5 (New) CA	X		X	
	904.10.3.7.6 (New) CA	X		X	
	904.10.3.8 (New) CA	X		X	
	904.10.3.8.1 (New) CA	X		X	
	904.10.3.8.2 (New) CA	X		X	
	904.10.3.8.3(New) CA	X		X	
	904.10.3.8.4 (New) CA	X		X	

	904.10.3.8.5 (New) CA	X		X	
	904.11.0 (New) CA	X		X	
	904.12 (New) CA	X		X	
	904.12.1 (New) CA	X		X	
	904.12.2 (New) CA	X		X	
	904.12.3 (New) CA	X		X	
	904.12.4 (New) CA	X		X	
	904.12.5 (New) CA	X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 10-Steam and Hot-Water Boilers

Adopt entire Chapter 10 without amendments

2000 CA Amendments	2003CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 11-Refrigeration

Adopt entire Chapter 11 without amendments

2000 CA Amendments	2003CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 12-Hydronics

Adopt entire Chapter 12 as amended

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter as amended (amendments listed below)		X		X	
1201.3.5.2 CA	1201.3.5.2 CA	X		X	

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 13-Fuel Piping
Chapter 13 is not adopted

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Chapter 13 Not Adopted by HCD					Chapter refers user to Appendix B of the 2003 UMC, which is Chapter 12 of the Uniform Plumbing Code published by IAPMO. Duplication of codes.

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 14-Process Piping
Chapter 14 is not adopted

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Not Adopted by HCD					Not adopted

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 15-Solar Systems
Adopt only those sections listed below

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt only those sections listed below		X		X	
1500 CA	1502.0 CA	X		X	Number Change
1501 CA	1503.0 CA	X		X	Number Change

Department of Housing and Community Development
Division of Codes and Standards
UMC 2003 Adoption Matrix Chapter 16-Stationary Fuel Cell Power Plants
Adopt entire Chapter 16 without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development

Division of Codes and Standards

UMC 2003 Adoption Matrix Chapter 17-Standards

Adopt entire Chapter 17 without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

Department of Housing and Community Development

Division of Codes and Standards

UMC 2003 Adoption Matrix Appendix A – UMC Standards 6-2 and 6-5

Adopt entire Appendix A without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Appendix without amendments		X		X	

Department of Housing and Community Development

Division of Codes and Standards

UMC 2003 Adoption Matrix Appendix B,

Procedures to be Followed to Place Gas Equipment in Operation

Appendix B is not adopted

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Not Adopted by HCD					Not adopted

Department of Housing and Community Development

Division of Codes and Standards

UMC 2003 Adoption Matrix Appendix C

Installation and Testing of Oil (Liquid) Fuel-Fired Equipment

Appendix C, is not adopted

2000CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Not Adopted by HCD					

Department of Housing and Community Development

Division of Codes and Standards

UMC 2003 Adoption Matrix Appendix D – Unit Conversion Tables

Adopt entire Appendix D without amendments

2000 CA Amendments	2003 CA Amendments	HCD 1 Adoption	HCD 1/AC	HCD 2 Adoption	Comments
Adopt entire UMC Chapter without amendments		X		X	

ITEM 15-1 – Committee Recommendations

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(END OF ITEM)

ITEM 15-2

CHAPTER 1 - ADMINISTRATION

Note: Adopt only those sections listed below

101.2 [For HCD 1 & HCD 2] Title – California Mechanical Code. *This document shall be known as the “California Mechanical Code.” Where a reference to the Uniform Mechanical Code or UMC appears in the text of this code, the reader shall understand the reference to be to the California Mechanical Code at Part 4 of Title 24, California Code of Regulations. The provisions contained in the California Mechanical Code of the (compiled) California Building Standards Code, Title 24, California Code of Regulations as defined in Health and Safety Code Section 18910, may be cited as such and are referred to hereafter as these regulations, “these mechanical standards” or “this code.”*

102.0 Purpose

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within this jurisdiction **[For HCD 1 & HCD 2]** for the State of California **[For HCD 1 & HCD 2]** and local enforcement agencies.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

103.1 Applicability. The provisions of this code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances within this jurisdiction. **[For HCD 1 & HCD 2]** for the State of California **[For HCD 1 & HCD 2]** and local enforcement agencies.

Additions, alterations, repairs to and replacement of equipment or systems shall comply with the provisions for new equipment and systems, except as otherwise provided in Section 104.0 of this code.

Exception [For HCD 1] Additions, Alterations or Repairs. *The alteration, repairs, replacement, occupancy, use and maintenance provisions are superseded, in part, by State Housing Law, Health and Safety Code, Division 13, Part 1.5, Sections 17912, 17920.3, 17922 (c), 17958.8 and 17958.9 and California Code of Regulations, Title 25, Chapter 1 (commencing with Section 1). Health and Safety Code Section 17958.8 is repeated here for clarity and reads as follows:*

~~**Section 17958.8** Local ordinances or regulations governing alterations and repair of existing buildings shall permit the replacement, retention, and extension of original materials and the use of original methods of construction as long as the hotel, lodging house, motel, apartment house, or dwelling, or portions thereof, or building and structure accessory thereto, complies with~~

~~the provisions published in the State Building Standards Code and the other rules and regulations of the department or alternative local standards adopted pursuant to Section 17920.7 and does not become or continue to be a substandard building.~~

Section 17958.8. Local ordinances or regulations governing alterations and repair of existing buildings shall permit the replacement, retention, and extension of original materials and the use of original methods of construction for any building or accessory structure subject to this part, including a hotel, lodginghouse, motel, apartment house, or dwelling, or portions thereof, as long as the portion of the building and structure subject to the replacement, retention, or extension of original materials and the use of original methods of construction complies with the building code provisions governing that portion of the building or accessory structure at the time of construction, and the other rules and regulations of the department or alternative local standards governing that portion at the time of its construction and adopted pursuant to Section 13143.2 and the building or accessory structure does not become or continue to be a substandard building.

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

[For HCD 1 & HCD 2] Mechanical standards in the code shall have no retroactive or retrospective effect or application on existing construction unless the term and time of application of such standards are specifically identified or specified in this code and California law.

The design and testing of equipment regulated by this code shall be subject to the approval of the Authority Having Jurisdiction **[For HCD 1 & HCD 2]** enforcing agency provided in section 108.1.1.

The standards contained in Appendix A shall be considered as part of this code. Appendix B and C contain recommended practices which shall not apply unless specifically adopted. Appendix D contains conversion tables and a table for determining the approximate minimum thickness for carbon sheet metal.

103.1.1.2 [For HCD 1 & HCD 2] Effective Date. One hundred and eighty days after the date of publication, or as otherwise noted herein.

103.1.2 [For HCD 1 & HCD 2] Availability of Codes. A subsection of Health and Safety Code Section 18942 is repeated here for clarity and reads as follows:

Section 18942(d)

(1) Each city, county, and city and county, including charter cities, shall obtain and maintain with all revisions on a current basis, at least one copy of the building standards and other state regulations relating to buildings published in Titles 8, 19, 20, 24, and 25 of the California Code of Regulations. These codes shall be maintained in the office of the building official responsible for the administration and enforcement of this part.

(2) This subdivision shall not apply to any city or county which contracts for the administration and enforcement of the provisions of this part with another local government agency which complies with this section.

103.1.3 [For HCD 1 & HCD 2] Applicability to Occupancy Groups. The provisions of the model code, which are adopted by this Code, are applicable to all occupancy groups and uses regulated by this code. The amendments to the model code are applicable only to those occupancies or uses which the state agency adopting the amendments is authorized to regulate as listed in Section 108.1.1.

103.1.4 [For HCD 1 & HCD 2] Conflicts Between Codes. When the requirements of this code conflict with the requirements of the California Building Code, Title 24, Part 2, the most restrictive requirement shall prevail. When the requirements of this code conflict with the requirements of the California Plumbing Code, Title 24, Part 5, this code shall prevail.

103.1.5 [For HCD 1 & HCD 2] Non-Building Regulations. Requirements contained in the U.M.C., or in any other referenced standard, code, or documents, which are not building standards as defined in Health and Safety Code Section 18909, shall not be construed as part of the provisions of this code.

103.1.5.1 [For HCD 1 & HCD 2] For the applicability of regulations relating to maintenance, operation, use, limitations or prohibitions, and similar non-building regulations, see other Titles of the California Code of Regulation.

103.1.5.2 [For HCD 1 & HCD 2] For the applicability of regulations relating to maintenance, operation, use, limitations or prohibitions, and similar non-building regulations, see Title 25, California Code of Regulations, Chapter 1 (commencing with Section 1).

103.1.6 [For HCD 1 & HCD 2] Validity. If any chapter, section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the State as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.

103.1.7 [For HCD 1 & HCD 2] Format. This part fundamentally adopts the U.M.C. by reference on a chapter-by-chapter basis. Such adoption is reflected in the adoption tables of each chapter of this part. When the adoption table of a chapter of this part makes no reference to a specific chapter of the U.M.C., such chapter of the U.M.C. is not adopted as a portion of this code.

103.1.8 [For HCD 1 & HCD 2] STANDARD REFERENCE DOCUMENTS

103.1.8.1[For HCD 1 & HCD 2] Codes and Standards Adoption. The codes, standards and publications, adopted and set forth in this code, including other codes, standards and publications referred to therein, are by title and date of publication, hereby adopted as standard reference documents of this code.

104.5 Moved Buildings. [Not adopted by HCD] Mechanical systems or equipment which are a part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this code for new installations.

104.5.1 [For HCD 1] Moved Buildings. Moving of apartment houses and dwellings. Health and Safety Code Section 17958.9 is repeated here for clarity and reads as follows:

Section 17958.9 Local ordinances or regulations governing the moving of apartment houses and dwellings shall, after July 1, 1978, permit the retention of existing materials and methods of construction so long as the apartment house or dwelling complies with the building standards for foundation applicable to new construction, and does not become or continue to be a substandard building.

105.1 Alternate Materials and Methods of Construction [Not adopted by HCD]

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any such alternate has been approved and the use authorized by the Authority Having Jurisdiction.

However, the exercise of this discretionary approval by the Authority Having Jurisdiction shall have no effect beyond the jurisdictional boundaries of said Authority Having Jurisdiction. Any alternate material or method of construction so approved shall not be considered as conforming to the requirements and/or intent of this Code for any purpose other than installation or use within the jurisdiction granting the exception.

The Authority Having Jurisdiction may authorize any alternate, provided the Authority Having Jurisdiction finds the proposed design is satisfactory for the intended use and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least equivalent to that prescribed by this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The Authority Having Jurisdiction shall require sufficient evidence or proof be submitted to substantiate any claims made regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and shall be entered in the files of the code enforcement agency.

105.2 [For HCD 1 & HCD 2] Order of Precedence. Where in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general and a specific requirement, the specific requirement shall apply.

Mechanical standards in the code shall have no retroactive or retrospective effect or application on existing construction unless the term and time of application of such standards are specifically identified or specified in this code.

105.5 [For HCD 1 & HCD 2] Alternate for materials, designs, tests and methods of construction.

105.5.1 [For HCD 1] Notwithstanding other provisions of law, the method for approval of alternate materials, design, tests and methods of construction by local building departments are set forth in State Housing Law, Health and Safety Code, Division 13, Section 17951 (d) and California Code of Regulations, Title 25, Division 1, Chapter 1. The applicable subsections of Health and Safety Code Section 17951(d) are repeated here for clarity and reads as follows:

Section 17951(d).

~~(2) The building department of any city or county may approve an alternate if it finds that the proposed design is satisfactory and that the material, appliance, installation, device, arrangement, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the California Building Standards Code or this part in performance, safety, and for the protection of life and health.~~

(2) The building department of any city or county may approve an alternate material, appliance, installation, device, arrangement, method, or work on a case-by-case basis if it finds that the proposed design is satisfactory and that each such material, appliance, installation, device, arrangement, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the California Building Standards Code or this part in performance, safety, and for the protection of life and health.

(3) The building department of any city or county shall require evidence that any material, appliance, installation, device, arrangement, or method of construction conforms to, or that the proposed alternate is at least equivalent to, the requirements of this part, building standards published in the California Building Standards Code, or the other rules and regulations promulgated pursuant to this part and in order to substantiate claims for alternates, the building department of any city or county may require tests as proof of compliance to be made at the expense of the owner or the owner's agent by an approved testing agency selected by the owner or the owner's agent.

NOTE: [For HCD 2] Refer to Title 24, Part 4, Section 108.10.

105.5.2 [For HCD 1] Notwithstanding other provisions of law, the method for approval of alternate materials, appliances, installation, device, arrangement, or method of construction are set forth in the Employee Housing Act, Health and Safety Code, Section 17002 and California Code of Regulations, Title 25, Division 1, Chapter 1. Health and Safety Code Section 17002 is repeated here for clarity and reads as follows:

Section 17002. The provisions of this part are not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed by this part if such alternate has been approved by the Department of Housing and Community Development.

The Department of Housing and Community Development may approve any such alternate if it finds that the proposed design is satisfactory and that the material, appliance, installation, device, arrangement, or method of construction offered is, for the purpose intended, at least the equivalent of that prescribed in this part in quality, strength, effectiveness, fire resistance, durability and safety, for the protection of life and health.

This section shall not apply to a local ordinance, which is applicable pursuant to Section 17001.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-2 – Committee Recommendations

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(END OF ITEM)

ITEM 15-3

105.5.3 [For HCD 2] Notwithstanding other provisions of law, the method for approval of alternate materials, appliances, installation, device, arrangement, or method of construction ~~are~~ is set forth in the Mobilehome Parks Act, Health and Safety Code, Section 18305 and California Code of Regulations, Title 25, Division 1, Chapter 2

commencing with Section 1000 for mobilehome parks and the Special Occupancy Parks Act, Health and Safety Code, Section 18865.6 and California Code of Regulations, Title 25, Division 1, Chapter 2.2 commencing with Section 2000 for special occupancy parks. The applicable subsections of Health and Safety Code Section 18305 and 18865.6 are repeated here for clarity and reads as follows:

Section 18305.

(a) *This part is not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed by this part and the rules and regulations adopted pursuant to this part, if the alternate used has been approved.*

(b) *The department may approve any alternate if it finds that the proposed design is satisfactory and that the material, appliance, installation, device, arrangement, method, or work offered is, for the purpose intended, at least the equivalent to that prescribed in this part and the rules and regulations adopted pursuant to this part in quality, strength, effectiveness, fire resistance, durability, safety, and for the protection of life and health.*

(c) *Whenever there is evidence that any material, appliance, installation, device, arrangement, or method of construction does not conform to the requirements of this part and the rules and regulations promulgated pursuant to this part, or in order to substantiate claims for alternates, the department may require proof of compliance to be made at the expense of the owner or his or her agent.*

(d) *The department shall notify the appropriate enforcement agency and plan checking agency of its findings.*

(e) *This section is not applicable to local regulations authorized by this part.*

Section 18865.6.

(a) This part is not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed by this part and the rules and regulations adopted pursuant to this part, if the alternate use has been approved.

(b) The department may approve any alternate use if it finds that the proposed design is satisfactory and that the material, appliance, installation, device, arrangement, method, or work offered is, for the purpose intended, at least the equivalent to that prescribed in this part and the rules and regulations adopted pursuant to this part in quality, strength, effectiveness, fire resistance, durability, safety, and for the protection of life and health.

(c) Whenever there is evidence that any material, appliance, installation, device, arrangement, or method of construction does not conform to the requirements of this part and the rules and regulations promulgated pursuant to this part, or in order to substantiate claims for alternates, the department may require proof of compliance to be made at the expense of the owner or his or her agent.

(d) The department shall notify the appropriate enforcement agency and plan checking agency of its findings.

(e) This section is not applicable to local regulations authorized by this part.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-3 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-4

106.2 [For HCD 1] Local Variances. Health and Safety Code Section 17958.5 is repeated here for clarity and reads as follows:

Section 17958.5. Except as provided in Section 17922.6, in adopting the ordinances or regulations pursuant to Section 17958, a city or county may make such changes or modification in the requirements contained in the provisions published in the California Building Standards Code and the other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions.

For purposes of this subdivision, a city and county may make reasonably necessary modifications to the requirements, adopted pursuant to Section 17922, contained in the provisions of the code and regulations on the basis of local conditions.

106.3 [For HCD 1] Findings; Filings; and Rejections of Local Variances Modifications. The applicable subsections of Health and Safety Code Section 17958.7 are repeated here for clarity and reads as follows:

Section 17958.7

(a) Except as provided in Section 17922.6, the governing body of a city or county, before making any modifications or changes pursuant to Section 17958.5, shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions. Such a finding shall be available as a public record. A copy of those findings, together with the modification or change expressly marked and identified to which each finding refers, shall be filed with the California Building Standards Commission. No modification or change shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission.

(b) The California Building Standards Commission may reject a modification or change filed by the governing body of a city or county if no finding was submitted.

106.4 [For HCD 1 & HCD 2] Ratification by City Council and County Supervisors. The applicable subsections of Health and Safety Code Section 13869.7 are repeated here for clarity and reads as follows:

Section 13869.7

(a) Any fire-protection district organized pursuant to Part 2.7 (commencing with Section 13800) of Division 12 may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code. For these purposes, the district board shall be deemed a legislative body and the district shall be deemed a local agency. Any changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety shall be subject to subdivision (b) of Section 18941.5.

(b) Any fire protection district that proposes to adopt an ordinance pursuant to this section shall, not less than 30 days prior to noticing a proposed ordinance for public hearing, provide a copy of that ordinance, together with the adopted findings made pursuant to subdivision (a), to the city, county, or city and county where the ordinance apply. The city, county, or city and county, may provide the district with written comments, which shall become a part of the fire protection district's public hearing record.

(c) The fire protection district shall transmit the adopted ordinance to the city, county, or city and county where the ordinance will apply. The legislative body of the city, county, or city and county, may ratify, modify, or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. No ordinance adopted by the district shall be effective until ratification by the city, county, or city and county where the ordinance will apply. Upon ratification of an adopted ordinance, the city, county, or city and county, shall file a copy of the findings of the district, and any findings of the city, county, or city and county, together with the adopted ordinance expressly marked and identified to which each finding refers, with the Department of Housing and Community Development.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-4 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-5

108.1.1 [For HCD 1 & HCD 2] Vesting Authority. When adopted by a ~~state~~ State agency, the provisions of this Code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the State Legislature.

Following is a list of the state agencies that adopt building standards or on whose behalf building standards are adopted, the specific scope of application of the agency responsible for enforcement, and the specific statutory authority of each agency to propose or adopt and enforce those building standards, unless otherwise stated.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-5 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-6

108.1.1.8 [For HCD 1] ~~Department of Housing and Community Development.~~

HCD 1 — Department of Housing and Community Development

Application – Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing, and ~~any other type types~~ of ~~dwellings~~ dwellings containing sleeping accommodations with common toilet or cooking facilities. Refer to Section 108.1.1.13 of this code, for Office of the State Fire ~~Marshal~~ Marshal, for fire and panic safety application.

Enforcing Agency—Local building department or the Department of Housing and Community Development.

Authority—H&SC §17921, 17922, 19990, and 42 US Code Section 3601, et seq.

Reference—H&SC §17000 through 17060, 17910 through 17990, and 19960 through 19997.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-6 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-7

108.1.1.8.1 [For HCD 1/AC] ~~Department of Housing and Community Development – Access Compliance.~~

HCD 1/AC — Department of Housing and Community Development – Access Compliance.

Application – Whenever the identification “HCD 1/AC” appears in this code, it shall mean the Department of Housing and Community Development requires specific accommodations for persons with “physical disabilities,” as defined in Chapter 11A of the California Code of Regulations, Title 24, Part 2, Section ~~1102A.16-P~~ 1107A.16-P, also known as the California Building Code. The application of this Code, shall apply only to “Covered Multifamily Dwellings,” as defined in Chapter 11A of the California Building Code, Section ~~1102A.3-G~~ 1107A.3-C, including but not limited to the following:

- 1. Apartment buildings with 3 or more dwelling units including timeshare apartments.*
- 2. Condominiums with 4 or more dwelling units including timeshare condominiums.*
- 3. Lodging houses, as defined in ~~Section 213~~ Chapter 2 of the California Building Code, when used as a residence with 3 or more guest rooms.*
- 4. Congregate residences, as defined in ~~Section 204~~ Chapter 2 of the California Building Code.*
- 5. Dwellings with 3 or more efficiency units, as defined in ~~Section 205~~ Chapter 2 of the California Building Code or Health and Safety Code Section 17958.1.*
- 6. Shelters for the homeless not otherwise subject to the disabled access regulations of the Division of the State Architect – Access Compliance (~~commencing with Section 1111B of the California Building Code~~) (DSA/AC).*
- 7. Dormitories, as defined in ~~Section 205~~ Chapter 2 of the California Building Code.*
- 8. Time-Share Dwellings with 3 or more units, except for ~~condominiums covered in item number 2 above~~ public accommodations as defined in Health and Safety Code Section 19955 (a) shall comply with Chapter 11B of the California Building Code.*
- 9. Other Group R Occupancies in covered multifamily dwellings, which are established by the Office of the State Fire Marshal (commencing with Section 310 of the California Building Code) (See California Building Code Section 101.17.14).*

The HCD 1/AC disabled access regulations do not apply to the alteration, repair, rehabilitation, or additions to existing Group R Occupancies that were constructed and occupied prior to July 15, 1992. The HCD 1/AC regulations generally do not cover public accommodation occupancies, such as hotels and motels.

Buildings or portions of buildings of the same or similar occupancies, or mixed occupancies, and buildings accessory to them, also may be subject to the disabled access regulations adopted by the Division of the State Architect – Access Compliance (DSA/AC).

Enforcing Agency - Local building department or the Department of Housing and Community Development.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-7 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-8

108.1.1.9 [For HCD 2] ~~Department of Housing and Community Development~~

HCD 2 — Department of Housing and Community Development.

Application - Permanent buildings and permanent accessory buildings and structures constructed within mobilehome parks or special occupancy parks, which are permanent facilities under the control and ownership of the park operator.

Enforcing Agency—Local building department; other local agency responsible for the enforcement of Health and Safety Code Sections 18200 through 18700 and 18860 through 18874; or the Department of Housing and Community Development.

Authority Cited—H&SC §§ 18300 and 18865.

Reference—H&SC §§18000 through 18700 and 18860 through 18874.

108.3.1[For HCD 1 & HCD 2] RIGHT OF ENTRY FOR ENFORCEMENT

108.3.1.1 [For HCD 1]. Authority to Enter and Inspect Premises. *Health and Safety Code Sections 17050(i) and 17970 are repeated here for clarity and reads as follows:*

Section 17050(i). *The enforcement agency may:*

(1) Enter public or private properties to determine whether there exists any employee housing to which this part applies.

(2) Enter and inspect all employee housing wheresoever situated, and inspect all accommodations, equipment, or paraphernalia connected therewith.

(3) Enter and inspect the land adjacent to the employee housing to determine whether the sanitary and other requirements of this part, the building standards published in the California Building Standards Code relating to employee housing, and the other rules and regulations adopted pursuant to this part have been or are being complied with.

Section 17970. *Any officer, employee, or agent of an enforcement agency may enter and inspect any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provision of this part, the building standards published in the [California] State Building Standards Code, and other rules and regulations promulgated pursuant to the provisions of this part which the enforcement agency has the power to enforce.*

108.3.1.2 [For HCD 2] Authority to Enter and Inspect Premises. The applicable subsections of Health and Safety Code Sections 18400 and 18866 are repeated here for clarity and reads as follows:

Section 18400.

- (a) The department shall enforce this part and the rules and regulations adopted pursuant to this part, except as provided in Section 18300.
- (b) The officers or agents of the enforcement agency may do either of the following:
- (1) Enter public or private property to determine whether there exists any park to which this part applies.
 - (2) Enter and inspect all parks, wherever situated, and inspect all accommodations, equipment, or paraphernalia used in connection therewith, including the right to examine any registers of occupants maintained therein in order to secure the enforcement of this part and the regulations adopted pursuant to this part.

Section 18866.

- (a) The department shall enforce this part and the rules and regulations adopted pursuant to this part, except as provided in Section 18865.
- (b) The officers or agents of the enforcement agency may do either of the following:
- (1) Enter public or private property to determine whether there exists any park to which this part applies.
 - (2) Enter and inspect all parks, wherever situated, and inspect all accommodations, equipment, or paraphernalia used in connection therewith, including the right to examine any registers of occupants maintained therein in order to secure the enforcement of this part and the regulations adopted pursuant to this part.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-8 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-9

108.3.1.3 [For HCD 1] Limitations on Authority to Enter. Notwithstanding other sections of law, Health and Safety Code Section 17972 is repeated here for clarity and reads as follows:

Section 17972. No person authorized by this article to enter buildings shall enter any dwelling between the hours of 6 o'clock p.m. of any day and 8 o'clock a.m. of the succeeding day, without the consent of the owner or of the occupants of the dwelling, nor enter any dwelling in the absence of the occupants without a proper written order executed and issued by a court having jurisdiction to issue the order.

108.6.1 [For HCD 1] Enforcement Authority to Condemn. Administrative actions, enforcement proceedings, nuisance abatements, violation notifications, and penalties shall comply with the requirements of State Housing Law, contained in Health and Safety Code Sections 17910 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1 (commencing with Section 1).

108.6.2 [For HCD 2] Enforcement Authority. Administrative actions, enforcement proceedings, nuisance abatements, violation notifications, and penalties shall comply with the requirements of the Mobilehome Parks Act, contained in Health and Safety Code Sections 18200 through 18700 and California Code of Regulations, Title 25, Division 1, Chapter 2 (commencing with Section 1000) for and the Special Occupancy Parks Act, California Health and Safety Code, Division 13, Part 2.3 (commencing with Section

18860) and California Code of Regulations, Title 25, Division 1, Chapter 2.2 (commencing with Section 2000).

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-9 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-10

108.10 [For HCD 1 & HCD 2] AUTHORITY OF CITY AND COUNTY BUILDING DEPARTMENTS

108.10.1 [For HCD 1] General - State Housing Law. Health and Safety Code Section 17960 is repeated for clarity and reads as follows:

Section 17960. The building department of every city or county shall enforce within its jurisdiction all the provisions published in the State [California] Building Standards Code, the provisions of this part, and the other rules and regulations promulgated pursuant to the provisions of this part pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of apartment houses, hotels, or dwellings.

NOTE: [For HCD 1] See Section 108.1.1.8 of this code.

~~Subsection 108.10.2 [For HCD 2] General – Mobile Home Park Act.~~

~~Refer to the Mobile home Parks Act, California Health and Safety Code, Division 13, Part 2.1 (commencing with Section 18200) and California Code of Regulations, Title 25, Division 1, Chapter 2 (commencing with Section 1000) for mobile home park administrative and enforcement authority, permits, plans, fees, violations, inspections, and penalties.~~

~~NOTE: [For HCD 2]~~ See Section 108.1.1.9 of the code.

~~108.10.3 108.10.2 [For HCD 1] General - Employee Housing Act.~~

~~Refer to the Employee Housing Act, California Health and Safety Code, Division 13, Part 1 (commencing with Section 17000) and California Code of Regulations, Title 25, Division 1, Chapter 1 (commencing with Section 600) for employee housing administrative and enforcement authority, permits, fees, violations, inspections, and penalties.~~

NOTE: [For HCD 1] See Section 108.1.1.8 of this code.

~~108.10.4 108.10.3 [For HCD 1] General - Factory-Built Housing.~~

~~Refer to the California Factory-Built Housing Law, California Health and Safety Code, Division 13, Part 6 (commencing with Section 19960) and the California Code of Regulations, Title 25, Division 1, Chapter 3 (commencing with Section 3000) for factory-built housing administrative and enforcement authority, permits, fees, violations, inspections and penalties.~~

NOTE: [For HCD 1] See Section 108.1.1.8 of this code.

108.10.4 [For HCD 2] General - Mobilehome Parks Act and Special Occupancy Parks Act. Refer to the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1 (commencing with Section 18200) and California Code of Regulations, Title 25, Division 1, Chapter 2 (commencing with Section 1000) for mobilehome park administrative and enforcement authority, permits, plans, fees, violations, inspections, and penalties. Refer to

the Special Occupancy Parks Act, California Health and Safety Code, Division 13, Part 2.3 (commencing with Section 18860) and California Code of Regulations, Title 25, Division 1, Chapter 2.2 (commencing with Section 2000) for special occupancy park administrative and enforcement authority, permits, plans, fees, violations, inspections, and penalties.

NOTE: [For HCD 2] See Section 108.1.1.9 of the code.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-10 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-11

114.2.1.1 [For HCD 1] Retention of Plans. Refer to Building Standards Law, Health and Safety Code Sections 19850 and 19851, for permanent retention of plans.

114.6 [For HCD 1] Permit Issuance. Health and Safety Code Section 17960.1 is repeated here for clarity and reads as follows:

Section 17960.1

(a) The governing body of a local agency may authorize its enforcement agency to contract with or employ a private entity or persons on a temporary basis to perform the plan-checking function.

(b) A local agency need not enter into a contract or employ persons if it determines that no entities or persons are available or qualified to perform the plan-checking services.

(c) Entities or persons employed by a local agency may, pursuant to agreement with the local agency, perform all functions necessary to check the plans and specifications to comply with other requirements imposed pursuant to this part or by local ordinances adopted pursuant to this part, except those functions reserved by this part or local ordinance to the legislative body. A local agency may charge the applicant fees in an amount necessary to defray costs directly attributable to employing or contracting with entities or persons performing services pursuant to this section which the applicant requested.

(d) When there is an excessive delay in checking plans and specifications submitted as a part of an application for a residential building permit, the local agency shall, upon request of the applicant, contract with or employ a private entity or persons on a temporary basis to perform the plan-checking function subject to subdivisions (b) and (c).

(e) For purposes of this section:

(1) "Enforcement agency" means the building department or building division of a local agency.

(2) "Excessive delay" means the enforcement agency of a local agency has taken either of the following:

(A) More than 30 days after submittal of a complete application to complete the structural building safety plan check of the applicant's set of plans and specifications, which are suitable for checking. For a discretionary building permit, the time period specified in this paragraph shall commence after certification of the environmental impact report, adoption of a negative declaration, or a determination by the local agency that the project is exempt from Division 13

(commencing with Section 21000) of the Public Resources Code.

(B) Including the days actually taken in (A), more than 45 days to complete the checking of the resubmitted corrected plans and specifications suitable for checking after the enforcement agency had returned the plans and specifications to the applicant for correction.

(3) "Local agency" means a city, county, or city and county.

(4) "Residential building" means a one-to-four family detached structure not exceeding three stories in height.

NOTE: For plan checking of related "Employee Housing," as defined in HSC 17008, refer also to HSC 17021(b) [Effective January 1, 2001]

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-11 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-12

115.1.1 [For HCD 1] Fees. The applicable subsections of Health and Safety Code Section 17951 ~~is are~~ repeated here for clarity and reads as follows:

Section 17951

~~(a) The governing body of any county or city, including a charter city, may prescribe fees for permits, certificates, or other forms or documents required or authorized by this part or rules and regulations promulgated pursuant thereto.~~

~~(b) The governing body of any county or city, including a charter city, or fire protection district, may prescribe fees to defray the costs of enforcement required by this part to be carried out by local enforcement agencies.~~

~~(c) The amount of the fees prescribed pursuant to subdivisions (a) and (b) of this section shall not exceed the amount reasonably required to administer or process these permits, certificates, or other forms or documents, or to defray the costs of enforcement required by this part to be carried out by local enforcement agencies, and shall not be levied for general revenue purposes. The fees shall be imposed pursuant to Section 66016 of the Government Code.~~

Section 17951

(a) The governing body of any county or city, including a charter city, may prescribe fees for permits, certificates, or other forms or documents required or authorized by this part or rules and regulations adopted pursuant to this part.

(b) The governing body of any county or city, including a charter city, or fire protection district, may prescribe fees to defray the costs of enforcement required by this part to be carried out by local enforcement agencies.

(c) The amount of the fees prescribed pursuant to subdivisions (a) and (b) shall not exceed the amount reasonably required to administer or process these permits, certificates, or other forms or documents, or to defray the costs of enforcement required by this part to be carried out by local enforcement agencies, and

shall not be levied for general revenue purposes. The fees shall be imposed pursuant to Section 66016 of the Government Code.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300 and Government Code Section 12955.1.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997 and Government Code Section 12955.1.

ITEM 15-12 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-13

CHAPTER 2 – DEFINITIONS

Note: *Adopt entire chapter as amended.*

203.0

-A-

APPROVED. [Not adopted by HCD] Acceptable to the Authority Having Jurisdiction.

Approved [For HCD 1 & HCD 2] Health and Safety Code Section 17920(a) is repeated here for clarity and reads as follows:

Section 17920(a). “Approved” means acceptable to the Department.

Exception: “Approved” also means meeting the approval of the enforcement agency, except as otherwise provided by statute, when used in connection with any system, material, type of construction, fixture, or appliance as the result of investigations and tests conducted by the agency, or by reason of accepted principles or tests by national authorities, technical, health, or scientific organizations or agencies.

NOTES: 1. See Health and Safety Code Section 19966 for “approved” as applied to Factory Built Housing as referenced in Section 108.1.1.8 of this code.

2. See Health and Safety Code Section 18201 for “approved” as applied to Mobilehome Parks referenced in Section 101.11.8.3 of this code..

3. See Health and Safety Code Section 18862.1 “approved” as applied to Special Occupancy Parks as referenced in Section 101.11.8.3 of this code.

Assembly Building [Not adopted by HCD] is a building or a portion of a building used for the gathering together of fifty (50) or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, dining or awaiting transportation.

Exception: Assembly Building [For HCD 1 & HCD 2] Refer to the California Building Code, Title 24, Part 2 for use and occupancy classification.

AUTHORITY HAVING JURISDICTION [Not adopted by HCD] The organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures. The authority having jurisdiction shall be a federal, state, local or other regional department or an individual such as a plumbing official; mechanical official; labor department official; health department official; building official or others having statutory authority. In the absence of a statutory authority, the authority having

jurisdiction may be some other responsible party. This definition shall include the authority having jurisdiction's duly authorized representative.

AUTHORITY HAVING JURISDICTION [For HCD 1 & HCD 2] See Enforcing Agency.

204.0

-B-

Building [For HCD 1 & HCD 2] Health and Safety Code Section 17920(b) is repeated here for clarity and reads as follows:

Section 17920(b). "Building" means a structure subject to this part.

BUILDING CODE [Not adopted by HCD] is the building code that is adopted by this jurisdiction.

Exception: BUILDING CODE [For HCD 1 & HCD 2] Whenever the term "Building Code" is used in this code, it shall mean the California Building Code, Title 24, Part 2.

BUILDING OFFICIAL [Not adopted by HCD]. See Authority Having Jurisdiction.

Exception: BUILDING OFFICIAL [For HCD 1 & HCD 2] "Building Official" shall be the "Enforcing Agency" as specified in the appropriate subsections of Section 108.1.1 of this code.

206.0

-D-

Department [For HCD 1 & HCD 2] Health and Safety Code Section 17920(d) is repeated here for clarity and reads as follows:

Section 17920(d). "Department" means the Department of Housing and Community Development.

DWELLING [Not adopted by HCD] is a building or portion thereof that contains not more than two dwelling units.

Exception: DWELLING [For HCD 1 & HCD 2] Refer to the California Building Code, Title 24, Part 2, for the definition of "dwelling."

DWELLING UNIT [Not adopted by HCD] is a building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this code, for not more than one family.

Exception: DWELLING UNIT [For HCD 1 & HCD 2] Refer to the California Building Code, Title 24, Part 2, for the definition of "dwelling unit."

207.0

-E-

ELECTRICAL CODE [Not adopted by HCD] is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

Exception: ELECTRICAL CODE [For HCD 1 & HCD 2] Whenever the term "Electrical Code" is used in this code, it shall mean the California Electrical Code, Title 24, Part 3.

ENFORCING AGENCY [For HCD 1 & HCD 2] is the designated department or agency as specified in statutes and regulations to enforce the specific building standards promulgated or adopted by the specified state agency.

ENFORCEMENT AGENCY [For HCD 1 & HCD 2] See Enforcing Agency.

208.0

-F-

FIRE CODE [Not adopted by HCD] is the fire code adopted by this jurisdiction.

214.0

-L-

LABELED [Not adopted by HCD] Equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization that is acceptable to the authority having jurisdiction and concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials, and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

Labeled [For HCD 1 & HCD 2] Health and Safety Code Section 17920(g) is repeated here for clarity and reads as

follows:

Section 17920(g). “Labeled” means equipment or materials to which has been attached a label, symbol or other identifying mark of an organization, approved by the department, that maintains a periodic inspection program of production of labeled products, installations, equipment, or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

LISTED and LISTING [Not Adopted by HCD]

Equipment, materials, or services included in a list published by an organization that is acceptable to the authority having jurisdiction and concerned with evaluation of products or services, that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services, and whose listing states that either the equipment, material, or service meets appropriate designated standards or has been tested and found suitable for specified purpose.

Listed [For HCD 1 & HCD 2] Health and Safety Code Section 17920(h) is repeated here for clarity and reads as follows:

Section 17920(h) “Listed” means all products that appear in a list published by an approved testing or listing agency.

Listing Agency [For HCD 1 & HCD 2] Health and Safety Code Section 17920(i) is repeated for clarity and reads as follows:

Section 17920(i). “Listing agency” means an agency approved by the department that is in the business of listing and labeling products, materials, equipment, and installations tested by an approved testing agency, and that maintains a periodic inspection program on current production of listed products, equipment, and installations, and that, at least annually, makes available a published report of these listings.

216.0

-N-

Nuisance [For HCD 1 & HCD 2] Health and Safety Code Section 17920(k) is repeated for clarity and reads as follows:

Section 17920(k). “Nuisance” means any nuisance defined pursuant to Part 3 (commencing with Section 3479) of Division 4 of the Civil Code, or any other form of nuisance recognized at common law or in equity.

217.0

-O-

OCCUPANCY CLASSIFICATION. For the purpose of this code, certain occupancies are defined as follows:

Note: [For HCD 1 & HCD 2] The Occupancy Classification requirements are adopted as amended by the State Fire Marshal. See Section 103.1.4 of this Code if there is a conflict.

Group A Occupancies

Group A Occupancies include the use of a building or structure, or a portion thereof, for the gathering together of fifty (50) or more persons for purposes such as civic, social or religious functions, recreation, education or instruction, food or drink consumption, or awaiting transportation. A room or space used for assembly purposes

by less than fifty (50) persons and accessory to another occupancy shall be included as a part of that major occupancy. Assembly occupancies shall include the following:

Division 1. A building or portion of a building having an assembly room with an occupant load of 1,000 or more and a legitimate stage.

Division 2. A building or portion of a building having an assembly room with an occupant load of less than 1,000 and a legitimate stage.

Division 2.1. A building or portion of a building having an assembly room with an occupant load of 300 or more without a legitimate stage, including such buildings used for educational purposes and not classed as a Group B or E Occupancy.

Division 3. A building or portion of a building having an assembly room with an occupant load of less than 300 without a legitimate stage, including such buildings used for educational purposes and not classed as a Group B or E Occupancy.

Division 4. Stadiums, reviewing stands and amusement park structures not included within other Group A Occupancies. Specific and general requirements for grandstands, bleachers and reviewing stands are in the Building Code.

Exception: Amusement buildings, or portions thereof, which are without walls or a roof and constructed to prevent the accumulation of smoke in assembly areas.

Group B Occupancies

Group B Occupancies shall include buildings, structures, or portions thereof, for office, professional or service-type transactions, which are not classified as Group H Occupancies. Such occupancies include occupancies for the storage of records and accounts and eating and drinking establishments with an occupant load of less than fifty (50).

Group E Occupancies

Division 1. Any building used for educational purposes through the 12th grade by fifty (50) or more persons for more than twelve (12) hours per week or four hours in any one-day.

Division 2. Any building used for educational purposes through the 12th grade by less than fifty (50) persons for more than twelve (12) hours per week or four hours in any one-day. **Division 3.** Any building or portion thereof used for day-care purposes for more than six persons.

Group F Occupancies

Group F Occupancies shall include the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as Group H Occupancies.

Division 1. Moderate-hazard factory and industrial occupancies shall include factory and industrial uses, which are not classified as Group F, Division 2 Occupancies.

Division 2. Low-hazard factory and industrial occupancies shall include facilities producing noncombustible or nonexplosive materials, which, during finishing, packing or processing, do not involve a significant fire hazard.

Group H Occupancies

Group H Occupancies shall include buildings or structures, or portions thereof, that involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard. For definitions, identification and control of hazardous materials and pesticides, and the display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group B, F, M or S Occupancies, see the Fire Code.

Division 1. Occupancies with a quantity of material in the building in excess of those listed in the Building Code, which present a high explosion hazard.

Division 2. Occupancies where combustible dust is manufactured used or generated in such a manner that concentrations and conditions create a fire or explosion potential. Occupancies with a quantity of material in the building in excess of those listed in the Building Code, which present a moderate explosion hazard or a hazard from accelerated burning.

Division 3. Occupancies where flammable solids, other than combustible dust, are manufactured, used or generated.

Division 4. Repair garages not classified as Group S, Division 3 Occupancies.

Division 5. Aircraft repair hangars and heliports not classified as Group S, Division 5 Occupancies.

Division 6. Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM) are used and the aggregate quantity of materials is in excess of those listed in the Building Code.

Division 7. Occupancies having quantities of materials in excess of those listed in the Building Code, which are health hazards.

Group I Occupancies

Division 1.1. Nurseries for the full-time care of children under the age of six (each accommodating more than five children), Hospitals, sanitariums, nursing homes with non-ambulatory patients, and similar buildings (each accommodating more than five patients).

Division 1.2. Health care centers for ambulatory patients receiving outpatient medical care which may render the patient incapable of unassisted self-preservation (each tenant space accommodating more than five such patients).

Division 2. Nursing homes for ambulatory patients, homes for children six years of age or over (each accommodating more than five patients or children).

Division 3. Mental hospitals, mental sanitariums, jails, prisons, reformatories and buildings where personal liberties of inmates are similarly restrained.

Group M Occupancies

Group M Occupancies shall include buildings, structures, or portions thereof, used for the display and sale of merchandise, and involving stocks of goods, wares or merchandise, incidental to such purposes and accessible to the public.

Group R Occupancies

Division 1. Hotels and apartment houses. Congregate residences (each accommodating more than ten (10) persons).

Division 2. Not used.

Division 3. Dwellings and lodging houses. Congregate residences (each accommodating ten (10) persons or less).

Group S Occupancies

Group S Occupancies shall include the use of a building or structure, or a portion thereof, for storage not classified as a hazardous occupancy.

Division 1. Moderate-hazard storage occupancies shall include buildings or portions of buildings used for storage of combustible materials that are not classified as Group S, Division 2 or Group H Occupancies.

Division 2. Low-hazard storage occupancies shall include buildings, structures, or portions thereof, used for storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single-thickness divisions, or in paper wrappings, and shall include ice plants, power plants and pumping plants.

Division 3. Occupancies shall include repair garages where work is limited to exchange of parts and maintenance requiring no open flame or welding, motor vehicle fuel-dispensing stations, and parking garages not classed as Group S, Division 4 open parking garages or Group U private garages.

Division 4. Open parking garages.

Division 5. Aircraft hangars where work is limited to exchange of parts and maintenance requiring no open flame or welding, and helistops.

Group U Occupancies

Division 1. Private garages, carports, sheds and agricultural buildings.

Division 2. Fences over six feet (1829 mm) high, tanks and towers.

218.0

-P-

PLUMBING CODE *[Not adopted by HCD]* is the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this jurisdiction.

Exception: **PLUMBING CODE** *[For HCD 1 & HCD 2]* Whenever the term “Plumbing Code” is used in this code, it shall mean the California Plumbing Code, Title 24, Part 5.

222.0

-T-

Testing Agency *[For HCD 1 & HCD 2]* Health and Safety Code Section 17920(m) is repeated for clarity and reads as follows:

Section 17920(m). “Testing agency” means an agency approved by the department as qualified and equipped for testing of products, materials, equipment, and installations in accordance with nationally recognized standards.

223.0

-U-

UMC *[For HCD 1 & HCD 2]* is the most recent edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials.

UMC Standards *[For HCD 1 & HCD 2]* are the Uniform Mechanical Code Standards listed in Appendix A of the most recent edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-13 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-14

CHAPTER 3 - GENERAL REQUIREMENTS

Note: Adopt entire chapter as amended.

304.7 *[For HCD 1 & HCD 2]* **Liquefied Petroleum Gas Appliances.** Liquefied petroleum gas-burning appliances shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-14 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-15

CHAPTER 4 - VENTILATION AIR SUPPLY

Note: Adopt entire chapter without amendments.

CHAPTER 5 - EXHAUST SYSTEMS

Note: Adopt entire chapter without amendments.

Note:

Authority: Health and Safety Code Sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-15 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-16

CHAPTER 6 - DUCT SYSTEMS

Note: Adopt entire chapter as amended.

601.2 Sizing Requirements. Duct systems used with blower-type equipment which are portions of a heating, cooling, absorption, evaporative cooling or outdoor air ventilation system shall be sized in accordance with Chapter 17, Part II Referenced Standards or by other approved methods.

Exception: [For HCD 1 & HCD 2] Duct sizing calculations are not required for systems which do not require outside air.

Note:

Authority: Health and Safety Code Sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-16 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-17

CHAPTER 7 - COMBUSTION AIR

Note: Adopt entire chapter without amendments.

CHAPTER 8 - CHIMNEYS AND VENTS

Note: Adopt entire chapter without amendments.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-17 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-18

CHAPTER 9 - INSTALLATION OF SPECIFIC EQUIPMENT

Note: Adopt entire chapter as amended.

904.1.1 [For HCD 1 & HCD 2] Access *A furnace room shall have an opening or door and passageway thereto not less than two (2) feet (610 mm) in width and large enough to permit removal of the largest furnace in such room. The furnace shall be installed so as to permit removal without disturbing piping, conduits, appurtenant valves and junction boxes.*

Exceptions:

1. When the furnace room is large enough to permit dismantling the furnace within the room, the access opening and passageway need be large enough only to permit removal of the largest piece of furnace. This exception shall not be construed to waive the requirements of a minimum door and passageway of two (2) feet (610 mm).
2. Access to warm-air furnaces installed in under-floor spaces shall comply with Section 904.12.2.
3. Access to warm-air furnaces installed in an attic or furred space shall comply with Section 904.11.

4. Access to warm-air furnaces installed on a roof or on an outside wall structure shall comply with Section 904.10.

An unobstructed working space not less than thirty (30) inches (762 mm) in depth and the height of the furnace, but not less than thirty (30) inches (762 mm), shall be provided along the entire front or firebox side of every warm-air furnace when the door of the furnace enclosure is open.

Heating system air filters, fuel-control valves, vent collars, air-handling units and externally mounted controls shall be accessible for maintenance, repair and replacement. Access space shall be as specified for cooling equipment in Section 1106.3.

904.1.2 [For HCD 1 and HCD 2] Prohibited Installations. Warm-air furnaces shall not be installed:

904.1.2.1 [For HCD 1 and HCD 2] In a closet or alcove less than twelve (12) inches (305 mm) wider than the furnace or furnaces installed therein with a minimum clear working space less than three (3) inches (76 mm) along the sides, back and top of the furnace.

Exception: Replacement forced-air furnaces or air-conditioning cooling coils may be installed in an existing closet or alcove with lesser width and depth when approved by the Enforcement Agency and provided that such width and depth is in compliance with conditions of listing. Combustion air openings at the rear or side of the closet shall meet the requirements of Chapter 7.

904.1.2.2 [For HCD 1 and HCD 2] In a hazardous location.

904.1.2.3 [For HCD 1 and HCD 2] In an occupancy, unless separated by fire-resistive construction from the rest of the building as required by the special hazards section of the Building Code.

904.1.2.4 [For HCD 1 and HCD 2] In a room used or designed to be used as a bedroom, bathroom, closet or in any enclosed space with access only through such room or space.

Exception: Direct vent furnaces, enclosed furnaces and electric heating furnaces. Access to furnaces located in an attic or under-floor crawl space may be through a closet.

904.1.2.5 [For HCD 1 and HCD 2] Outside of a building unless listed for exterior installation or enclosed in a weatherproof housing complying with Section 904.10.

904.1.2.6 [For HCD 1 and HCD 2] With clearance along the combustion chamber opening side of less than six (6) inches (152 mm) or working space along the entire front or firebox side less than specified in Section 904.1.1.

904.10 Equipment on Roofs [For HCD 1 and HCD 2] or Exterior Walls of Buildings.

904.10.1.2 Roofs on which equipment is to be installed shall be capable of supporting the additional load or shall be reinforced to support the additional load.

[For HCD 1 and HCD 2] A roof or exterior building wall supporting a furnace shall comply with the requirements for roof and wall structures specified in the California Building Code, and the equipment shall be listed or approved for such use.

904.10.1.4 [For HCD 1 and HCD 2] Weather Protection. Unless listed or designed for outside installation, a furnace on the roof of a building shall be enclosed in a penthouse complying with the requirements of the Building Code for roof structures or shall be completely enclosed in a weatherproof housing. The housing, when constructed of metal, shall be of galvanized steel not less than 0.024 inch (0.61 mm) (No. 24 U.S. Standard gauge) or of aluminum not less than No. 22 B.&S. gauge supported on a substantial metal frame. The housing shall be not larger than necessary to properly cover and provide a minimum six (6) inch (152 mm) clearance around the appliance or appliances enclosed therein, including all controls and draft diverters.

904.10.1.5 [For HCD 1 and HCD 2] Ventilation. An enclosure or penthouse shall be provided with openings complying with the requirements of Chapter 7, together with means for proper ventilation of the furnace draft hood relief openings.

904.10.1.6 [For HCD 1 and HCD 2] Clearance. Clearance of the furnace from combustible construction shall be as specified in Section 304.1.

904.10.3 Access to Equipment on Roofs [For HCD 1 and HCD 2] or Exterior Walls of Buildings.

904.10.3.5 [For HCD 1 and HCD 2] Platform. A furnace located on a roof shall be installed on a substantial level platform. When the roof has a slope greater than four (4) in twelve (12), a level working platform at least thirty (30) inches (762 mm) in depth and width shall be provided along the firebox and control sides of the furnace. Sides of a working platform facing the roof edge below shall be protected by a substantial railing forty-two (42) inches (1067 mm) in height with vertical rails not more than twenty-one (21) inches (533 mm) apart, except that parapets at least twenty-four (24) inches (610 mm) in height may be utilized in lieu of rails or guards.

904.10.3.6 [For HCD 1 and HCD 2] Catwalk. On roofs having slopes greater than four (4) in twelve (12), a catwalk at least twenty-four (24) inches (610 mm) in width with substantial cleats spaced not more than sixteen (16) inches (406 mm) apart shall be provided from the roof access to the working platform at the appliance.

904.10.3.7 [For HCD 1 and HCD 2] Roof Access Scuttle. Required working platforms, railings and catwalks may be omitted when access to the equipment is through a required roof scuttle and all of the following provisions are met:

904.10.3.7.1 [For HCD 1 and HCD 2] The required scuttle is located immediately adjacent to the control side of the equipment unit.

904.10.3.7.2 [For HCD 1 and HCD 2] Controls, filters, burners, fans and motors are accessible for service and repair within two (2) feet (610 mm) of the edge of the equipment platform on the scuttle side.

904.10.3.7.3 [For HCD 1 and HCD 2] The equipment platform is not more than twenty (20) inches (508 mm) above the high side of the scuttle opening.

904.10.3.7.4 [For HCD 1 and HCD 2] A substantial working platform not less than thirty (30) inches (762 mm) in depth and width shall be provided directly below the scuttle at a point not less than thirty (30) inches (762 mm) or more than thirty-two (32) inches (813 mm) below the high side of the scuttle opening.

904.10.3.7.5 [For HCD 1 and HCD 2] Scuttles located on other than the roof incline side of the equipment unit shall have the hatch hinged on the low side of the scuttle. Hatches shall be equipped with means to ensure an opening angle of not less than 90 degrees (1.57 rad) nor more than 100 degrees (1.75 rad) from the closed position. Hatches and hardware, when open, shall be capable of withstanding a 300 pound (1334 N) lateral force from the roof incline side.

904.10.3.7.6 [For HCD 1 and HCD 2] Access to scuttles shall comply with Section 904.11.

904.10.3.8 [For HCD 1 and HCD 2] Access to Equipment on Exterior Walls. Every furnace installed in or on an exterior wall of a building, which is designed so that the burners or controls must be serviced from outside the building, shall be readily accessible. Furnaces located on the roof of a building shall be readily accessible.

Exceptions:

1. Permanent exterior ladders providing roof access need not extend closer than eight (8) feet (2438 mm) to the finish grade.
2. A portable ladder may be used for access for furnaces on the single-story portion of a Group R or U Occupancy.
3. Permanent ladders for equipment access need not be provided at parapets or walls less than thirty (30) inches (762 mm) in height.

Permanent ladders providing roof access shall:

904.10.3.8.1 [For HCD 1 and HCD 2] Have side railings which extend at least thirty (30) inches (762 mm) above the roof edge or parapet wall.

904.10.3.8.2 [For HCD 1 and HCD 2] Have landings less than eighteen (18) feet (5486 mm) apart measured from the finished grade.

904.10.3.8.3 [For HCD 1 and HCD 2] Be at least fourteen (14) inches (356 mm) in width.

904.10.3.8.4 [For HCD 1 and HCD 2] Have rungs not more than fourteen (14) inches (356 mm) on center.

904.10.3.8.5 [For HCD 1 and HCD 2] Have a minimum of six (6) inch (152 mm) toe space.

904.11.0 Attic Furnaces (Upright and Horizontal)

Upright furnaces may be installed in an attic or furred space more than five (5) feet (1524 mm) in height, provided the required listings and furnace and duct clearances are observed. Horizontal furnaces may be installed in an attic or furred space provided the required listings and furnace and duct clearances are observed.

Clearances of a warm-air attic furnace from combustibles shall be as specified in Section 304.1.

An attic or furred space in which a warm-air furnace is installed shall be accessible by an opening and passageway as large as the largest piece of the furnace and in no case less than thirty (30) inches by thirty (30) inches (762 mm x 762 mm) continuous from the opening to the furnace and its controls.

Exception: The access opening into the space may be twenty-two (22) inches by thirty (30) inches (559 mm x 762 mm), provided the largest piece of equipment can be removed through the opening.

The distance from the passageway access to furnace shall not exceed twenty (20) feet (6096 mm) measured along the center line of the passageway. The passageway shall be unobstructed and shall have continuous solid flooring not less than twentyfour (24) inches (610 mm) wide from the entrance opening to the furnace.

A level working platform not less than thirty (30) inches (762 mm) in depth and width shall be provided in front of the entire firebox side of the warm-air furnace, and if the furnace temperature-limit control, air filter, fuel-control valve, vent collar or air-handling unit is not serviceable from the firebox side of the furnace, a continuous floor not less than twenty-four (24) inches (610 mm) in width shall be provided from the platform in front of the firebox side of the furnace to and in front of this equipment.

Exception: A working platform need not be provided when the furnace can be serviced from the required access opening.

A permanent electric outlet and lighting fixture controlled by a switch located at the required passageway opening shall be provided at or near the furnace.

904.12 [For HCD 1 and HCD 2] Warm-Air Furnaces Located in Under-Floor Spaces.

A warm-air furnace installed in the under-floor area of a building shall comply with the following requirements:

904.12.1 [For HCD 1 and HCD 2] Clearance from combustibles shall be as specified in Section 304.1.

904.12.2 [For HCD 1 and HCD 2] An access opening and passageway of a height and width sufficient to permit removal of the furnace, but in no case less than thirty (30) inches by thirty (30) inches (762 mm x 762 mm), shall be provided to the working space in front of the furnace. The access opening to the passageway shall be through an opening in an exterior wall of the building or through a trap door within the building. The distance from the passageway access to the center line of the working space in front of the furnace burner shall not exceed twenty (20) feet (6096 mm) measured along the center line of the passageway.

904.12.3 [For HCD 1 and HCD 2] A furnace supported from the ground shall rest on a concrete slab extending not less than three (3) inches (76 mm) above the adjoining ground level.

904.12.4 [For HCD 1 and HCD 2] The lowest portion of a suspended furnace shall have a clearance of at least six (6) inches (152 mm) from the ground. Excavation necessary to install a furnace shall extend to a depth of six (6) inches (152mm) below and twelve (12) inches (305 mm) on all sides of the furnace, except the control side, which shall have thirty (30) inches (762 mm). If the depth of the excavation for either furnace or passageway exceeds twelve (12) inches (305 mm), walls of the excavation shall be lined with concrete or masonry extending four (4) inches (102 mm) above the adjoining ground level. In floodplain areas the entire crawl space grade or height shall provide twelve (12) inch (305 mm) clearance between the bottom of the furnace and the ground.

904.12.5 [For HCD 1 and HCD 2] A permanent electric outlet and lighting fixture controlled by a switch located at the passageway opening shall be provided at or near the furnace.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-18 – Committee Recommendations

A AA D FS

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(END OF ITEM)

ITEM 15-19

CHAPTER 10 - STEAM AND HOT WATER BOILERS

Note: Adopt entire chapter without amendments.

CHAPTER 11 - REFRIGERATION

Note: Adopt entire chapter without amendments.

CHAPTER 12 - HYDRONICS

Note: Adopt entire chapter as amended.

1201.3.5.2 Cutting Structure. Structural members shall not be seriously weakened or impaired by cutting or notching. **[For HCD 1 & HCD 2]** Structural modifications shall be made in compliance with the California Building Code, Title 24, Part 2.

CHAPTER 13 - FUEL PIPING

Note: This chapter is not adopted.

CHAPTER 14 - PROCESS PIPING

Note: This chapter is not adopted.

CHAPTER 15 - SOLAR SYSTEMS

Note: Adopt only the sections listed below.

~~4500~~ 1502.0 [For HCD 1 & HCD 2] General. Health and Safety Code Section 17959.1, is repeated here for clarity and reads as follows:

Section 17959.1. No local ordinance enacted pursuant to this chapter shall have the effect of prohibiting or of unreasonably restricting the use of solar energy systems, other than for the preservation of the public health and safety. The provisions of this section shall apply to charter cities.

This section shall not apply to ordinances which impose reasonable restrictions on solar energy systems. However, it is the policy of the state to promote and encourage the use of solar energy systems and to remove obstacles thereto. Accordingly, reasonable restrictions on a solar energy system are those restrictions which do not significantly increase the cost of the system or significantly decrease its efficiency, or which allow for an alternative system of comparable cost and efficiency.

As used in this section, "solar energy system" shall be defined as set forth in Section 801.5 of the Civil Code.

~~4504~~ 1503.0 [For HCD 1 & HCD 2] Civil Code Section 801.5, is repeated here for clarity and reads as follows:

Section 801.5. (a) The right of receiving sunlight as specified in subdivision 18 of Section 801 shall be referred to as a solar easement. "Solar easement" means the right of receiving sunlight across real

property of another for any solar energy system. As used in this section, "solar energy system" means either of the following:

- (1) Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
- (2) Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.
- (b) Any instrument creating a solar easement shall include, at a minimum, all of the following:
 - (1) A description of the dimensions of the easement expressed in measurable terms, such as vertical or horizontal angles measured in degrees, or the hours of the day on specified dates during which direct sunlight to a specified surface of a solar collector, device, or structural design feature may not be obstructed, or a combination of these descriptions.
 - (2) The restrictions placed upon vegetation, structures, and other objects that would impair or obstruct the passage of sunlight through the easement.
 - (3) The terms or conditions, if any, under which the easement may be revised or terminated.

CHAPTER 16 - STATIONARY FUEL CELL POWER PLANTS

Note: Adopt entire chapter without amendments.

CHAPTER 17 - STANDARDS

Note: Adopt entire chapter without amendments.

APPENDIX A, UNIFORM MECHANICAL CODE STANDARDS 6-2 and 6-5

Note: Adopt entire Appendix A without amendments.

APPENDIX B, PROCEDURES TO BE FOLLOWED TO PLACE GAS EQUIPMENT IN OPERATION

Note: This Appendix is not adopted.

APPENDIX C, INSTALLATION AND TESTING OF OIL (LIQUID) FUEL-FIRED EQUIPMENT

Note: This Appendix is not adopted.

APPENDIX D, UNIT CONVERSION TABLES

Note: Adopt entire Appendix D without amendments.

Note:

Authority: Health and Safety Code sections 17921, 18865.3, 17940 and 18300.

Reference: Health and Safety Code sections 17000-17060, 17910-17990, 18000-18700, 18860-18874 and 19960-19997.

ITEM 15-19 – Committee Recommendations

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(END OF ITEM)

INITIAL STATEMENT OF REASONS

Part affected: Part 4, Title 24, CCR

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action.

1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.

Administrative Requirement: The State Housing Law (SHL) Health and Safety Code Section 17922, directs the Department of Housing and Community Development (the Department) to recommend adoption of the most recent edition of the UMC into Part 4, of Title 24, of the CCR.

2) Specific Purpose

The California Building Standards Commission (CBSC) selected the 2003 UMC published by the International Association of Plumbing and Mechanical Officials (IAPMO) as the model code to be referenced in Title 24, Part 4, for the 2003 code adoption cycle.

The specific purpose of these regulations is to adopt by reference the 2003 edition of the UMC, with State amendments, as indicated on the attached matrix table, into Part 4, Title 24, CCR, for the following programs:

- a) **State Housing Law:** relative to residential occupancies, buildings or structures accessory thereto and as provided for through the California Fair Employment and Housing accessibility requirements, except where the application is for public use only.
- b) **Employee Housing Act:** relative to the use of mechanical equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks, or Special Occupancy Parks:** relative to the use of mechanical equipment and systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator, within the park, in accordance with Health and Safety Code Sections 18300 and 18690 for mobilehome parks, and 18865 and 18873.4 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

3) Rationale for Necessity.

The 2003 UMC was published by IAPMO, in January, 2003, and will automatically become adopted, in its entirety, pursuant to Health and Safety Code Section 17922, subsection (a) (5), on January 1, 2004 (one year from its date of publication), if not amended and proposed by the Department to the CBSC for adoption.

If the 2003 UMC becomes adopted in its entirety without being proposed for adoption with amendments by the Department to CBSC, such automatic adoption would cause considerable confusion because California amendments, also known as "State amendments," are necessary modifications to the model code language to reflect state and federal law provisions or incorporate provisions to benefit the health, safety, and general welfare of California.

It is necessary to propose the adoption of some sections of the 2003 UMC, with amendments to the model code language, to reflect state and federal law provisions, or incorporate provisions to benefit the health, safety, and general welfare of California.

It is necessary not to propose the adoption of some sections of the 2003 UMC, as they conflict with existing state and federal laws, or will be incorporated with provisions to benefit the health, safety, and general welfare of California.

It is necessary to propose to bring forward previously existing State amendments, which represent no change in their effect from the 2001 Triennial California Building Standards Code. Some of the existing State amendments will be amended as follows:

- Renumber sections in order to fit appropriately into the newly adopted text of the 2003 edition of the UMC
- Add or change the reference to the application authority [HCD1, HCD 1/AC, and/or HCD 2].
- Change the language for clarification of existing law.
- Not adopt the model code language of the 2003 edition of the UMC.

NOTE: Changes have been grouped into types of amendments. Thus, a specific section of code may appear more than once because the section has more than one type of amendment.

Specific Proposed Regulatory Actions:

CHAPTER 1. ADMINISTRATION

The Department is proposing the adoption of only those sections indicated below and on the attached matrix table.

SECTIONS:

101.2	103.1.6	106.2
102.0	103.1.7	108.3.1
103.1.2	103.1.8	108.3.1.3
103.1.3	103.1.8.1	114.2.1.1
103.1.5	104.5.1	114.6
103.1.5.1	105.5.2	
103.1.5.2		

The Department proposes the adoption of the above-listed **California amendments**, without modification. Adoption of these California amendments will provide the code user with provisions applicable to the construction of regulated, residential occupancies, accessory structures and permanent buildings.

SECTION: 103.1

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text corrects the reference and wording within the reprinted Health and Safety Code section from section "17920.7" to "13143.2" and changes the word "State" to "California."

SECTION: 103.1.1.2

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text adds the words "the date of" for consistency with the California Building Code (CBC) and California Plumbing Code (CPC), to provide clarity for the code user.

SECTION: 103.1.4

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text adds the words "Title 24, Part 5" for consistency with the other Parts of Title 24, to provide clarity for the code user.

SECTIONS: 104.5 105.1

The Department proposes the non-adoption of the above-listed **model code** sections, into Title 24, Part 4, California Mechanical Code (CMC), with a non-substantive statement. A banner is added with the text "Not adopted by HCD". This banner provides clarity to the user regarding HCD's application of these sections. This action does not represent any change in the effect of the existing California Amendments as they existed in the 2001 Triennial California Building Standards Code.

SECTION: 105.2

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modification, within the banner, adds a reference to HCD 1 and HCD 2. This modification is made to include both HCD 1 and HCD 2, to provide clarity of application for the code user, and does not reflect a substantive change.

SECTION: 105.5

The Department proposes the adoption of the above-listed **California amendment** with modification. The modification adds a banner referencing HCD 1 and HCD 2. The modification is made to provide clarity for the code user and does not reflect substantive change.

SECTION: 105.5.1

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text will add the words “by local building departments,” for consistency with the State Housing Law (SHL) to provide clarity for the code user.

SECTIONS: 105.5.3 108.3.1.2

The Department proposes the readoption of the above-listed **California amendments**, with modification. The modified text includes the reference to “special occupancy parks,” and the relevant Health and Safety Code sections pertaining to the Special Occupancy Parks Act (SOPA). Effective January 1, 2004, those provisions will be separated from the Mobilehome Parks Act statutes and regulations.

SECTION: 106.3

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text in the header adds the word “Modification,” and removes the words “Local Variances,” for consistency with the SHL, to provide clarity for the code user.

SECTION: 106.4

The Department proposes the adoption of the above-listed **California amendment**, with modification. The modified text in the header adds the words “and County Supervisors,” for consistency with the Health and Safety Code provisions relating to this section, to provide clarity for the code user.

SECTION: 108.1.1

The Department proposes the readoption of the above-listed **California amendment**, with modification. The added text, within the banner, provides clarity to the user regarding HCD’s application of the section. Other modified text, within the section, is non-substantive, grammatical change. A second paragraph is added to correlate the language of the CMC with the language used in the California Building and Plumbing Codes, providing consistency, and clarity, for the code user.

SECTION: 108.1.1.8

The Department proposes the readoption of the above-listed **California amendment**, with modification. The font of the header has been modified for consistency with the format of the code. Other modified text within the section contains non-substantive, grammatical changes, and corrects the reference to the State Fire Marshal’s section in the code.

SECTION: 108.1.1.8.1

The Department proposes the readoption of the above-listed **California amendments**, with modification. The font of the header is modified for consistency with the format of the code. Modified text within the section, items 1 through 9, are non-substantive, grammatical, and reference changes and modifications regarding timeshares that provides clarity, and specificity, for the code user.

SECTIONS: 108.1.1.9 108.10.2

The Department proposes the readoption of the above-listed **California amendments**, with modification. The font of the header has been modified for consistency with the format of the code. The modified text adds references to the Health and Safety Code sections for SOPA, and provides clarity to the code user.

SECTIONS: 108.3.1.1 108.10.1

The Department proposes the readoption of the above-listed **California amendment** section, with modifications. The modified text includes a reference to employee housing and the relevant Health and

Safety Code sections pertaining to the Employee Housing Act. The word “California” was added in brackets for clarity within the reprinted HSC section 17970.

SECTION: 108.6.1

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modified text in the header adds the word “Enforcement,” and removes the words “to Condemn,” for consistency with the SHL provisions relating to this section, and provides clarity for the code user.

SECTION: 108.6.2

The Department proposes the adoption of the new above-listed **California amendment**. The amendment provides HSC reference for enforcement authority of the MPA and the SOPA. This provides clarity and specificity for the code user.

SECTION: 108.10

The Department proposes the readoption of the above-listed **California amendment**, with modification. The modification, within the banner, adds a reference to HCD 2. This modification is made to include both HCD 1 and HCD 2, to provide clarity of application for the code user, and does not reflect substantive change.

SECTIONS: 108.10.2 108.10.3 108.10.4

The Department proposes the readoption of the above-listed **California amendments**, with modification. These subsections are renumbered as a result of the inclusion of the SOPA provisions into the code. SOPA provisions are added to section 108.10.4, and the MPA provisions formerly in section 108.10.2 have been moved to section 108.10.4.

The word “California” is added in section 108.10.3, to provide specificity, and clarity, to the Factory Built Housing Law.

SECTION: 115.1.1

The Department proposes the readoption of the above-listed **California amendment**, with modification. The revised text, within the section, contains non-substantive, grammatical changes. Language within the Health and Safety Code Section has been revised for consistency with Statute.

CHAPTER 2. DEFINITIONS

The Department proposes the adoption of the 2003 UMC, Chapter 2, with the **California amendments** indicated below and on the attached matrix table.

Section 201.0 General

Section 202.0 Definitions of Terms

Section 203.0 -A-

Section 204.0 -B-

Section 205.0 -C-

Section 206.0 -D-

Section 207.0 -E-

Section 208.0 -F-

Section 209.0 -G-

Section 210.0 -H-

Section 211.0 -I-

Section 212.0 -J-

Section 213.0 -K-

Section 214.0 -L-

Section 215.0 -M-

Section 216.0 -N-

Section 217.0 -O-

Section 218.0 -P-

Section 219.0 -Q-

Section 220.0 -R-

Section 221.0 -S-

Section 222.0 -T-

Section 223.0 -U-

Section 224.0 -V-

Section 225.0 -W-

Section 226.0 -X-

Section 227.0 -Y-

Section 228.0 -Z-

(Model Code)

SECTIONS:

203.0	“Approved”, “Assembly Building”, “Authority Having Jurisdiction”
204.0	“Building Code”, “Building Official”
206.0	“Dwelling”, “Dwelling Unit”
207.0	“Electrical Code”
208.0	“Fire Code”
214.0	“Labeled”, “Listed and Listing”
218.0	“Plumbing Code”

The Department proposes to not adopt the above-listed **model code** definitions into Title 24, Part 4, CMC. The SHL provides definitions for these items that would conflict with the model code language if adopted. The SHL definitions are reprinted within the CBC, and the Department proposes to continue the adoption of these SHL definitions.

(California Amendment)

SECTIONS: **204.0 “Building”**
 206.0 “Department”
 207.0 “Enforcing Agency” “Enforcement Agency”
 214.0 “Labeled,” “Listed,” “Listing Agency”
 216.0 “Nuisance”
 217.0 “Occupancy Classification - Note”
 222.0 “Testing Agency”
 223.0 “UMC Standards” “UMC”

The Department proposes to adopt the above-listed existing **California amendments**, into Title 24, Part 4, CMC without modification.

(California Amendment)

SECTIONS: **203.0 “Assembly Building”**
 204.0 “Building Code”, “Building Official”
 206.0 “Dwelling”, “Dwelling Unit”
 207.0 “Electrical Code”
 218.0 “Plumbing Code”

The Department proposes to adopt the above-listed existing **California amendments**, into Title 24, Part 4, CMC, with non-substantive modifications. The modified text removes the word *exception* from the header, as this provides clarity to the user regarding HCD's application of the sections. This is a non-substantive format change, proposed for clarity, and consistency, with other sections of code.

SECTION: **203.0 “Approved”**

The Department proposes the adoption of the above-listed existing **California amendment**, for the definition of “Approved,” with modifications. The modified text removes the exception header from the third paragraph. The non-substantive modifications to the subsection header are made for clarity, and consistency, in formatting.

Two notes were added to include references to the applicable HSC sections for the definitions of “Approved” for Mobilehome Parks and Special Occupancy Parks. This is a non-substantive format change, proposed for clarity.

SECTION: **203.0 “Authority Having Jurisdiction”**

The Department proposes to not adopt the above-listed new **model code** definition. The definition conflicts with a term used in the SHL. The Department proposes to add a new California amendment, “Authority Having Jurisdiction,” to direct the user to the definition of “Enforcing Agency,” for clarity and consistency with the SHL.

CHAPTER 3. General Requirements

The Department proposes the adoption of the 2003 UMC, Chapter 3, with **California amendments** indicated below, and on the attached matrix table.

SECTION: **304.7**

The Department proposes the readoption of the above-listed provisions for LPG appliances, as a **California amendment**, into Title 24, Part 4, CMC. Currently it is adopted in the 2001 CMC. This section is proposed to provide safety for the public in the installation of LPG appliances.

CHAPTER 4. Ventilation Air Supply

The Department proposes the adoption of the 2003 UMC, Chapter 4, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 5. Exhaust Systems

The Department proposes the adoption of the 2003 UMC, Chapter 5, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 6. Duct Systems

The Department proposes the adoption of the 2003 UMC, Chapter 6, with **California amendments** indicated below, and on the attached matrix table.

SECTION: 601.2 "Sizing Requirements"

The Department proposes to continue the adoption of the above-listed existing **model code** section, into Title 24, Part 4, CMC, with a substantive modification. The proposed amendment reflects the Code publisher's intent that Section 601.2 not mandate sizing for those duct systems which do not require outside air.

CHAPTER 7. COMBUSTION AIR

The Department proposes the adoption of the 2003 UMC, Chapter 7, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 8. CHIMNEYS AND VENTS

The Department proposes the adoption of the 2003 UMC, Chapter 8, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 9. INSTALLATION OF SPECIFIC EQUIPMENT

The Department proposes the adoption of the 2003 UMC, Chapter 9, with **California amendments** indicated below, and on the attached matrix table.

SECTIONS:	904.1.1	904.10.1.5	904.10.3.7.4	904.10.3.8.5
	904.1.2	904.10.1.6	904.10.3.7.5	904.11.0
	904.1.2.1	904.10.3.5	904.10.3.7.6	904.12
	904.1.2.2	904.10.3.6	904.10.3.8	904.12.1
	904.1.2.3	904.10.3.7	904.10.3.8.1	904.12.2
	904.1.2.4	904.10.3.7.1	904.10.3.8.2	904.12.3
	904.1.2.5	904.10.3.7.2	904.10.3.8.3	904.12.4
	904.1.2.6	904.10.3.7.3	904.10.3.8.4	904.12.5
	904.10.1.4			

The Department proposes the adoption of the new above-listed **California amendments**, into Title 24, Part 4, CMC. These sections are proposed to provide safety for the public in the installation and use of HVAC systems. The requirements of these proposed sections are currently mandated in the 2001 CMC and are proposed to be brought forward as HCD amendments. The amendments are necessary to provide clarity for the code user. The amendments will provide no change from existing regulations.

SECTIONS: 904.10 904.10.3

The Department proposes the adoption of the above-listed **model code** sections, with an amendment, into Title 24, Part 4, CMC. Language is added to the header and a banner is added, to include the installation of equipment installed on exterior walls of a building. The amendment is necessary to provide clarity for the code user. The amendment provides no change from existing regulations.

SECTION: 904.10.1.2

The Department proposes the adoption of the above-listed **model code** section, with an amendment, into Title 24, Part 4, CMC. Language is added to reference the CBC for structural provisions when equipment is installed on the roof or exterior wall. The amendment is necessary to provide clarity for the code user. The amendment provides no change from existing regulations.

CHAPTER 10. STEAM AND HOT WATER BOILERS

The Department proposes the adoption of the 2003 UMC, Chapter 10, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 11. REFRIGERATION

The Department proposes the adoption of the 2003 UMC, Chapter 11, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 12. HYDRONICS

The Department proposes the adoption of the 2003 UMC, Chapter 12, with **California amendments** indicated below, and on the attached matrix table.

SECTION: 1201.3.5.2

The Department proposes to continue the adoption of the above-listed existing **California amendment** to the model code section, into Title 24, Part 4, CMC without modification.

CHAPTER 13. FUEL PIPING

The Department proposes to not adopt Chapter 13 of the 2003 UMC, as indicated on the attached matrix table. This chapter is duplicated in the requirements of the UPC proposed for adoption by HCD. In order to avoid duplication and conflict of regulation it is necessary for the Department to not adopt this chapter within the UMC.

CHAPTER 14. PROCESS PIPING

The Department proposes to not adopt Chapter 14 of the 2003 UMC, as indicated on the attached matrix table.

CHAPTER 15. SOLAR SYSTEMS

The Department proposes the adoption of only those sections indicated below, and on the attached matrix table.

**SECTIONS: 1502.0 - Previously 1500.0
1503.0 - Previously 1501.0**

The Department proposes to continue the adoption of the above-listed existing **California amendments**, into Title 24, Part 4, CMC with non-substantive modifications. Existing section number 1500.0 is renumbered as 1502.0, and existing section number 1501.0 is renumbered as 1503.0. The proposed amendments are necessary to correct the section numbers, to correlate with the renumbering of sections in the 2003 UMC.

CHAPTER 16. STATIONARY FUEL CELL POWER PLANTS

The Department proposes the adoption of the 2003 UMC, Chapter 16, without **California amendments**, as indicated on the attached matrix table.

CHAPTER 17. STANDARDS

The Department proposes the adoption of the 2003 UMC, Chapter 17, without **California amendments**, as indicated on the attached matrix table.

APPENDIX A, UMC STANDARDS 6-2 AND 6-5

The Department proposes the adoption of the 2003 UMC, Appendix A, without **California amendments**, as indicated on the attached matrix table.

APPENDIX B, PROCEDURES TO BE FOLLOWED TO PLACE GAS EQUIPMENT IN OPERATION

The Department proposes to not adopt Appendix B of the 2003 UMC, as indicated on the attached matrix table.

APPENDIX C, INSTALLATION AND TESTING OF OIL (LIQUID) FUEL-FIRED EQUIPMENT

The Department proposes to not adopt Appendix C of the 2003 UMC, as indicated on the attached matrix table.

APPENDIX D, UNIT CONVERSION TABLES

The Department proposes the adoption of the 2003 UMC, Appendix D, without **California amendments**, as indicated on the attached matrix table.

DETERMINATIONS

The following identifies each technical, theoretical, and empirical study, report, or similar document upon which the Department relied in proposing the adoptions, amendments, or repeal actions:

1999 IAPMO Report on Proposals
2001 IAPMO Report on Proposals
2002 IAPMO Report on Proposals

ALTERNATIVES TO THE REGULATION

There were no alternatives to these regulations available to the Department. The Department is required by statute to adopt these model codes by reference.

ALTERNATIVES THE DEPARTMENT HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The Department has determined that this regulatory action will have no significant, adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states. (See *Economic Impact of the Proposed Mechanical Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.

None.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

These regulations neither duplicate nor conflict with Federal regulations.

EFFECT ON PRIVATE PERSONS

No alternative considered would be more effective, or equally as effective as and less burdensome to affected private persons, than the proposed regulations.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

There were no alternatives available to the Department. The Department is required by statute to adopt these model codes. (See *Economic Impact of the Proposed Mechanical Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

SPECIFIC TECHNOLOGY OR EQUIPMENT

None.